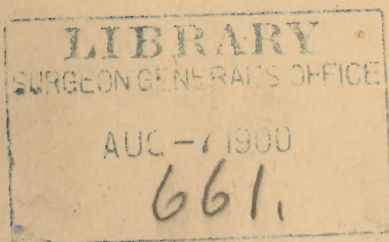


Ischiffely (F.A.)

Speech of ++
before the Washington
Pharmaceutical Assoc -
May 6 - 1874



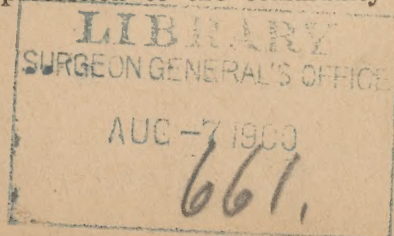
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SPEECH OF
F. A. TSCHIFFELY

BEFORE THE
Washington Pharmaceutical Association,
WEDNESDAY, MAY 6, 1874.

Against the bill of the College of Pharmacy, Washington, D. C.

Mr. PRESIDENT: A few days ago, I noticed in one of our local papers, that the National College of Pharmacy had presented a bill to our Legislative Assembly to prevent incompetent persons from engaging in the practice of pharmacy, in order that the community might be better protected. Having some little knowledge of this bill, I wish to make a few remarks in regard to the way by which it is proposed to accomplish its object. True, sir, the college claims that through their bill the health and lives of the public will find protection; but I will endeavor to show that while their bill is founded on this declaration, in its true character it is nothing more than a little bill of rights to protect proprietorship, and its darling derivative monopoly; a bill by which protection to the community is



made the excuse under which the college, as principals of drug stores, wish to shelter their several interests.

Should we ask the public in what way was protection needed to secure them against errors that arise from the preparing and compounding of medicines, would they not tell us competent pharmacists who have had sufficient experience and knowledge to dispense their medicines, in short to be able to perform the duties of practicing pharmacists, without endangering their health and lives. This is at least my idea of the security the public needs. But, strange to say, the college assumes the ground that security to the public is in the hands of such persons who are principals of drug stores, and not in the hands of those who prepare and compound medicines. And in support of this theory the college have originated a bill which declares a distinction between *principals* and *clerks*, on the ground that more competency is required of the former than the latter; or in other words, that while clerks may be competent to compound in the stores of their proprietors, yet are not qualified to do so in stores for themselves, on account of the higher qualities demanded of principals than clerks, which are necessary to protect the community, for says the bill that while all assistants who have been in the business as dispensing clerks for four years and are twenty-one years of age at the time of the passage of the law may be recognized practicing pharmacists as clerks, but not allowed to open or conduct drug stores for themselves. What kind conditions. They remind me of a historical anecdote I once read: Oliver Cromwell, during his reign, besieged a certain Catholic town; the Catholics agreed to surrender, provided the ceremonies of their religion should be allowed them. To which Oliver replied: "Oh! granted, granted; certainly." He however added: "But if one of them shall dare to be found at *mass*, he shall be hanged." How kind and conciliating. The law of the college permits us to

assume the duties of practicing pharmacists, but, however, adds, if one of us are caught doing so for ourselves, a fine of one hundred dollars shall be imposed, (which is nearly as bad as being hanged at this present time,) unless we shall have first passed an examination before the Board of Examiners as provided for, or else produce a diploma from some college of pharmacy. It may, therefore, be considered by the members of this association that these are the terms which are to be allotted to them.

Let us now turn to the difference of responsibility between principals and assistants, in order to ascertain whether this be true or not. It will be necessary to inquire into the nature of compounding medicines, and the corresponding demands it makes upon those who engage in it. It may be correctly said that the practice of pharmacy forms one of the most difficult branches of knowledge, one which requires the greatest amount of observation, reflection, and responsibility, in order to accomplish it in a manner proportionate to its magnitude. Under these requirements falls the important operation of supplying medicinal substances, in the shape of prescriptions and many other ways, the result of which must effect the public, either for good or for evil. The work, as a matter of course, must be assigned to those who may be considered competent; when this is done, the risk and responsibility that follows, is placed in the hands of those to whom the work has been consigned, and not in the hands of the principals of stores, as the college imagines, but in the body aggregate who prepare and dispense medicine. We hereby see that the very nature and requirements of the practice of pharmacy is of such a standard that the health and lives of the community are completely in the hands of those who perform its duties. I will admit that if assistants are exempt from pharmacy duties, and the work assigned to principals, then, of course, the responsibility

would devolve on the latter; but I will show by the bill of the college itself that this is not the case, but on the contrary, that the duties allotted to both are precisely the same, for the law declares that after the passage of said law there shall be recognized two distinct classes of pharmacists, first, the registered pharmacists, and second, the assistant registered pharmacists, both of which shall be acknowledged competent to prepare and dispense medicine for the public, and the law, to make the acknowledgment more explicit, further declares, that no person or persons, (except registered or assistant registered pharmacists,) shall be allowed to compound medicine for the public unless under the immediate supervision of a registered or assistant registered pharmacist. Here we not only see that assistants are considered competent, but that they are acknowledged qualified to instruct apprentices. This is a most important admission on the part of the college; an admission which immediately threatens the whole doctrines of the distinction, as claimed by it, with utter confutation. I hope now that we can plainly see that all distinction declared between persons who engage in the practice of pharmacy (as shown by the language of the bill of the college itself) is nothing more than a distinction without difference. The attempt of the college at distinction, and then the total overthrow of the same by the acknowledgment, as found in the law, that both classes recognized are regularly practicing pharmacists, may be well illustrated by the classical image of a man struggling in a *bog* without the power to extricate himself, and incapable of being aided by any friendly hand, while instead of struggling in a *bog* he at last finds himself, from some cause or other, standing upon the rock of truth.

Here, I suppose, I might safely stop so far as distinction is concerned; but in order to get acquainted as much as possible with our technical friend, (the college,) let us dig a

little into the practical workings of the bill under consideration. Now, this bill allows us all, provided we have been in the business four years and are twenty-one years of age, to register as *assistant registered pharmacists*, which permit us to go into the laboratories and behind the counters of *registered pharmacists*, or proprietors, and dispense medicine to the public with impunity, and the college, speaking through their bill, says we are competent to do so, and denies at the same time the right to all others who are not registered or assistant registered pharmacists. Now this may be considered the provision which the community is to receive to protect their health and lives, for this is all the bill gives. But when any assistant wishes to open or conduct a store for himself, and the college, as proprietors, at the same time being governed by that instinctive love of monopoly so natural to the human breast, points the assistant to that clause in the bill which declares that none but registered pharmacists shall be allowed to open and conduct stores; because, as the college says: "If we permit assistants to conduct stores without putting them through a course of sprouts, the public might be endangered." Now the natural converse of this assertion is that assistants do not endanger the public until they go into business for themselves. Then it must follow, as a matter of course, that assistants can run the stores of their proprietors, instruct and superintend the apprentices—in short to assume all the duties of pharmacy, and at the same time run no risk of harming the community, because the risk is with the proprietor, who, perhaps, has gone to dinner, gone to the springs, gone to Europe—for the theory of the college says that the responsibility of clerks or assistants does not commence until they open stores for themselves, in the very language of the bill itself. A person may be a competent assistant, but not a qualified principal. Not qualified; why? Because then the lives of the public are at stake. Now, if I

were to accept this theory on the one hand, on the other I would recommend an amendment to the bill, founded on the assertion of the college that assistants are ~~not~~ competent to dispense medicine as clerks for the public, but not qualified to carry on a store in their own name and dispense its medicine; because then the community might suffer—therefore, after the passage of the bill it shall be unlawful for any person or persons to engage in the compounding of medicines except assistant pharmacists, it having been discovered that this is the only class who can dispense without endangering the people. Certainly nothing more than a logical conclusion and a safe recommendation to the community, deducted from the theory as laid down by the National College of Pharmacy. But to return to the practical workings of the bill, let us first inquire who composes that class known as assistant registered pharmacists. I will answer, all those persons who have been engaged as clerks for four, and, perhaps, fifty years, at the time of the bill becoming a law. The large majority of this class have been employed as competent compounders of medicine over six, eight, and ten years, and have always possessed the utmost confidence of their employer, and in the same degree been relied on by the public. And yet, one of their class, wishing to open a store for himself, must either produce a diploma, a *thing* which has never been required in all his experience as a clerk, or pass an examination, another *thing* sprung upon him with perhaps but one day's notice. Should he wish to go into business, soon after the passage of this bill, the result is that experience as clerks availeth nothing toward the accomplishment of the end, which all of us sooner or later seek.

Do not these requirements on the part of the college conclusively show that the extraordinary demands put upon assistants are for the purpose of checking the opening of drug stores in the future, so that those already in the busi-

ness as proprietors may be protected? And now I will put it to the candor of all who are the least conversant with this matter, that if the right to open and conduct drug stores belongs to the regularly constituted pharmacists, and and if that class known as assistants have been recognized as such, must it not necessarily follow that they must either be granted all the privileges of opening and conducting stores for themselves, or else the college must admit that the assistants, recognized under their bill to protect the community, as competent pharmacists, are not pharmacists, and therefore unworthy of the work assigned them as such.

The bill is certainly famous for declaring all sorts of things, and at the same time denying the same in such a manner that I am indeed at a loss to know how to interpret the strange confusion of ideas, and the great uncertainty of meaning, as found in it. Surely the college should know all about the competency which the pharmaceutical profession requires, but the trouble, I guess, is not with the college, but with the subject it has attempted to handle, for whoever attempts to prove that there is a distinction in regard to the requirements and responsibility between persons who prepare and dispense medicine for the public must surely be oppressed by its weight, be his strength ever so great.

The bill is still pending before our Legislative Assembly, and if it should become a law, then our association will be no longer the Washington Pharmaceutical Association, but the Assistant Washington Pharmaceutical Association. Then we will not be, what we have thought proper to call ourselves, pharmacists. Then we will be denied the right to open and own drug stores for ourselves, unless we first prepare ourselves by *examination* and *diploma* prostitution.

For one, I want no such law made, but rather a law that will protect the community on the one hand, and on the

other give to those who are competent and deserving, not half, but all the right and privileges that rightfully belong to the practice of pharmacy, thus making a common class, in which there will be no contest between power and right.

